

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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LARRY WAYNE AIKEN,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS,

Defendant.

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Civ. No. 20-0600 (NLH) (JS)

OPINION

APPEARANCE:

Larry Wayne Aiken  
20329-017  
Fort Dix  
Federal Correctional Institution  
Inmate Mail/Parcels  
East: P.O. Box 2000  
Fort Dix, NJ 08640  
Plaintiff Pro se

HILLMAN, District Judge

Plaintiff Larry Wayne Aiken, an inmate presently incarcerated at Fort Dix Federal Correctional Institution, New Jersey, seeks to bring this civil action in forma pauperis, without prepayment of fees or security, asserting a claim pursuant to the 42 U.S.C. § 1983. See ECF No. 4.

The Court administratively terminated the complaint on January 21, 2020 because Plaintiff did not submit an in forma pauperis application or the \$350 filing fee. ECF No. 3. On January 23, 2020, the Court received a letter from Plaintiff requesting in forma pauperis status based on the fact that he

had previously been granted in forma pauperis status in the United States District Court for the Western District of North Carolina. ECF No. 4.

The fact that Plaintiff was previously granted in forma pauperis status by another court does not automatically entitle him to in forma pauperis status in this Court for this civil action. The Prisoner Litigation Reform Act of 1995, Pub. L. No. 104-134, §§ 801-10, 110 Stat. 1321 (April 26, 1996) ("PLRA"), which amended 28 U.S.C. § 1915, requires prisoners who are attempting to bring a civil action in forma pauperis to submit a current financial affidavit along with a certified copy of their trust fund account statement for the six month period immediately preceding the filing of the complaint, obtained from the appropriate official of each prison at which the prisoner is or was confined. See 28 U.S.C. § 1915(a)(1) & (2).

The Court will deny the application without prejudice. Plaintiff may reapply by completing the financial affidavit and submitting a certified account statement.

CONCLUSION

For the reasons set forth above, the motion to proceed in forma pauperis is denied without prejudice. The Clerk will be directed to reopen the matter once Plaintiff submits a new application. An appropriate Order follows.

Dated: January 24, 2020  
At Camden, New Jersey

s/ Noel L. Hillman  
NOEL L. HILLMAN, U.S.D.J.